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8 **UNITED STATES DISTRICT COURT**
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EASTERN DISTRICT OF CALIFORNIA

11 MICHAEL SEAN GIANAKOS,
12 Petitioner,
13 v.
14 WARDEN WHITE,
15 Respondent.

Case No. 1:21-cv-01056-NONE-SKO-HC

ORDER GRANTING MOTION TO AMEND
RESPONDENT
[Doc. No. 6]

ORDER SUBSTITUTING WARDEN
WHITE AS RESPONDENT IN THIS
MATTER

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17 On July 6, 2021, Petitioner filed a federal petition for writ of habeas corpus. He named the
18 United States of America as Respondent in this matter.

19 On July 15, 2021, Petitioner filed a motion to amend the petition to name Warden White
20 as Respondent in this matter. Warden White is the proper respondent as he is the warden at the
21 petitioner's institution and has "day-to-day control over" the petitioner. Brittingham v. United
22 States, 982 F.2d 378, 379 (9th Cir. 1992).

23 Accordingly, Petitioner's motion to amend the respondent is GRANTED. Warden White
24 is hereby SUBSTITUTED as Respondent in this matter.

25
26 IT IS SO ORDERED.

27 Dated: July 16, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE